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Th : This paper assesses the situation and prospects of the OSCE (Organisation for Security and Cooperation in Europe) in light of the experience of the past few years and the ambitions the organisation set itself in its reform agenda. The analysis argues that, irrespective of how banal it may be, in the absence of a fundamental change in the attitude of the participating states it is highly unlikely for the OSCE to regain the role it once had. Either it continues to lose its relevance or at best muddles through as it has done since the mid-1990s.

Ch : The relative decline of the OSCE has been due primarily to objective factors. The European security agenda moved away from the traditional areas in which the organisation had a comparative advantage. This resulted in the need to adapt to changed circumstances and to the emergence of an imbalance between the various fields of the OSCE's activity. Many current concerns the OSCE must address are related to governance and state-building. If the participating states cannot agree on the domestic agenda to pursue and their disagreement also results in efforts to spread their preferred model of socio-political order there is no chance for unity among the 56 participating states and thus political disputes will prevail. The problem of belated institutional adaptation is secondary to these factors. Hence, it does not induce processes that can compensate for the shortcomings in building a political consensus.

A ysis The OSCE and its predecessor the CSCE (Conference on Security and Cooperation in Europe) have been well-established members of the Euhe Cold Wa

r, suffered from an inferiority complex due to the regular challenges posed by its partners within the Warsaw Pact. The human dimension was the concern of the West as it used it to open up the closed societies of the East and introduce some minimum standards of human rights for the benefit of those societies. The CSCE comprised a series of conferences that showed no signs of institutionalisation until the end of the Cold War. When it started adapting in 1990 it turned out to be a high-profile and highly successful institution. Temporarily, the CSCE gained a degree of centrality among European organisations. More often than not, it is the first half of the 1990s that is used as a reference when assessing the OSCE's performance.

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Factors of Success/Factors of Decline: The Change in the European Security Landscape
The CSCE (named OSCE in 1995) had significant conditions for success in the early 1990s. Many of them are no longer applicable:

(1) The immediate post-Cold War era was characterised by major political uncertainty. It was a period when no clear answers could be given to the question 'Whence the threat to peace?'.[1] The CSCE, with its comprehensive concept of security, was best suited to address this uncertainty.
(2) The CSCE did not accept that there was a sharp dividing line between international and internal affairs. Interference in domestic affairs was regarded as legitimate on humanitarian grounds. One of the main concerns of the time, the mistreatment of ethnic minorities, could be better addressed by the CSCE than by any other organisation.
(3) The CSCE could address different phases of conflict. In 1992 it attempted to establish itself as an actor in international peace-keeping and conflict management. It certainly seemed more competent in prevention and eventually in post-conflict rehabilitation than in managing the high-intensity phase of conflicts.
(4) The CSCE could offer inclusive membership and extend it to the newly independent states in the former Soviet area. Although this added to the organisation's heterogeneity it contributed to the international socialising of most of the former Soviet Union's successor states that were not engaged in other international institutions save the UN.

The situation has fundamentally changed in the past decade and a half:

Advantage 1. The OSCE area is largely at peace and the security challenges it faces are overwhelmingly extra-European and/or global. Furthermore, they are of a transnational character: terrorism, organised crime and illegal migration. Although some conflicts are still pending in Eastern Europe they do not affect the security perception of the overwhelming majority of OSCE participating states.

Advantage 2. On the basis of the concept of comprehensive security that also includes human rights as a concern, the OSCE continues to consider that there are legitimate ways to 'interfere' in the domestic affairs of the participating states. Two major changes have occurred in this respect: (1) some participating states, most importantly the Russian Federation and many other successor states of the former Soviet Union, have been increasingly reluctant to accept interference on the grounds of enforcing human rights and spreading democracy; and (2) the agendas of several European and Euro-Atlantic institutions have changed in favour of interfering in the traditional area of domestic jurisdiction. Beyond the evident case of the Council of Europe, suffice it to mention the regular reports the European Union issues about the performance of candidates for membership and neighbours, including the broadest possible array of socio-economic matters. It is even more visible that NATO has found it necessary at least once to interfere militarily on humanitarian grounds in the OSCE area, in Kosovo in 1999. Hence, the separation of domestic and international matters has become blurred on the agendas of every European and Transatlantic institution.

Advantage 3. Although the OSCE has been fairly efficient in addressing pre-conflict and post-conflict situations it remains effectively irrelevant in the high-intensity phases of conflicts. Other organisations have extended their area of

[1] *Whence the Threat to Peace?* was a propaganda publication of the Soviet Ministry of Defence in the 1970s and 1980s.

activity to address various aspects and phases of conflicts and this has resulted in overlapping agendas regarding their management and resolution.

Advantage 4. Inclusive membership of the OSCE is most often mentioned as being a major advantage. It certainly is. However, the organisation's comprehensive membership, extending to every state in the Euro-Atlantic area, also has a disadvantage. Namely, the OSCE, contrary to a number of major institutions of the developed world (the Council of Europe, EU, NATO, OECD, to name but a few) have gained additional legitimacy from the aspirations of membership of many countries. Furthermore, other institutions, such as the Council of Europe (46 members), the EU (27) and NATO (26) have absorbed their peripheries. In addition, it has been in their best interests to establish structures which create 'shades of grey' and help to avoid the perception of exclusion of states that are unable or unwilling to join them. As a result of these policies (eg, the Partnership for Peace and the European Neighbourhood Policy) the OSCE's inclusive nature has lost importance.

In sum, the OSCE has gradually lost all the comparative advantages it used to have at the end of the Cold War. The change in objective conditions has been accompanied by the revision of the intentions of its members, again partly due to objective reasons. The main players in Euro-Atlantic security can now decide which institution to rely on in order to solve problems. The region's states, however, take into account the capacities of the different institutions, including how they are endowed with resources. As resources originate from the states themselves, it is also up to them to allocate them according to their political priorities. The three decisive players in Euro-Atlantic security –the EU, the US and the Russian Federation– seem to opt more often than not for institutions other than the OSCE. The EU, NATO and G-8 have become more important political coordination forums than the OSCE.

The rearrangement of the European landscape has been the most important, though not the exclusive reason, for reconsidering the OSCE's role. There are two other frequently mentioned factors: (1) the grievances of Russia and other countries of the former Soviet Union; and (2) institutional matters.[2]

Post-Soviet Dissatisfaction

Since the dissolution of the Soviet Union, its successor states have had to adjust to a series of adaptations. Establishing functioning national institutions and structures –to enable the electorate's will to be expressed– and a market economy have been among the most important. Russia, contrary to the other successor states, has also had to adapt to a new status in the international system. It has had to accept that although it is no doubt a great power it is no longer one of the cornerstones of the international system and is now a junior partner of the West, primarily of the US. The process of international adaptation was aggravated by the fact that Russia regarded itself as *the* Soviet Union's successor. Moscow's desire for status was not immediately accompanied by a commensurate foreign policy. During the first half of the 1990s Russia seemed fairly undemanding and demonstrated weakness. In the second half of the decade it started to be self-assertive, collided with the West on occasion (NATO's eastern enlargement and the Kosovo operation are cases in point) but it would be difficult to identify a consistent line beyond making itself recognised as a major player. The situation has changed with the coming to power of President Putin. Russia has concluded that it did not get enough in

[2] These three are mentioned by Professor Victor-Yves Ghébali, a commentator on the CSCE/OSCE since its inception. See his 'The Reform of the OSCE: Hurdles and Opportunities for a New Relevance', in Victor-Yves Ghébali and Daniel Warner (Eds.), *The Reform of the OSCE 15 Years After the Charter of Paris for a New Europe: Problems, Challenges and Risks*, PSIO, Geneva, 2006, p. 54-63.

return for its cooperative attitude. Moreover, the West helped with the democratic transformation of some states in the former Soviet area that Russia regarded as a direct challenge to its interests. Some of the means applied in the transition process were genuine tools of the OSCE, such as election monitoring and presenting claims on violations of human rights and democratic principles. Furthermore, Russia, due to its size and influence in the international system, provided political/diplomatic support and 'shelter' to its smaller partners in the same area, which were similarly upset about Western 'bullying' for their doubtful and on occasion miserable democratic records.

Russia and the other post-Soviet states had an ambivalent relationship towards the CSCE/OSCE. In the early 1990s Russia regarded it as the main regional cooperation framework and occasionally as a battlefield on which to fight for its interests. The CSCE's importance for Russia and other successor states stemmed from the fact that it was the only regional institution in which Moscow and the others participated as equal members. It was then that Moscow wanted to subordinate other security organisations to the CSCE. It wanted it to become a mandating institution (along with the UN), with NATO and the Western European Union becoming mandated bodies. In the second half of the 1990s the situation changed due to two factors: (1) Russia gained a special status with NATO and gradually established its relations with other regional institutions; and (2) the West started to attribute less importance to the OSCE, as made evident by the lack of any summit meetings for five years between 1994 and 1999.

The tension between Russia, its partners in the post-Soviet space and others increased at the beginning of the 21st century. There were two main reasons for Moscow's dissatisfaction: that its earlier cooperative stance in the CSCE 'remained unrewarded' and that 'its basic reform claims were thwarted'.[3] The main problems, as Russia sees them, can be described as a set of imbalances. They are among the principles set out in the Helsinki Final Act of 1975, among the various dimensions of OSCE activity and the attention the organisation pays to various geographical zones of Europe.

As far as the principles enshrined in the so-called decalogue of the Helsinki Final Act are concerned, a balance was struck between traditional principles of international law –such as state sovereignty, the prohibition of the threat and use of force and non-interference– and issues such as the respect for human rights and the right to self-determination. The balance held until the end of the Cold War. Thereafter, partly as a reflection of documents adopted at the end of the 1980s, in the human dimension the emphasis moved towards human rights. Not to the extent though, as some have mistakenly put forward, that the principle of non-intervention is no longer generally applicable to the OSCE.[4] It is undeniable, however, that since the beginning of the 1990s participating states did not often refer to non-interference in the OSCE. If the relevance of the statement above is narrowed down to the human dimension, it could be regarded as largely correct. The invocation of the principle of non-interference again, as for instance Uzbekistan did after the Andijan event of May 2005, would be a demonstration that some countries are moving away from the value system that prevailed in the OSCE since the end of the Cold War. Here we arrive at a fundamental issue of the OSCE's future: that it is increasingly apparent that the Europe –and Central Asia– of the 54 states that participate in the OSCE is not united around the same values. Although the overwhelming majority of participating states share liberal democratic values and implement them with some degree of variation, there are countries which do not: authoritarian systems or outright dictatorship extend from Belarus to Uzbekistan and Turkmenistan. This is reflected in their collisions with the OSCE.

[3] Victor-Yves Ghébali, 'The Russian Factor in the OSCE Crisis: A Fair Examination', *Helsinki Monitor*, Autumn 2005, p. 184.
[4] Arie Bloed, 'CIS Presidents Attack the Functioning of the OSCE', *Helsinki Monitor*, Autumn 2005, p. 220.

As regards the imbalance between various dimensions of OSCE activity, it must be said that some degree of imbalance has always characterised the organisation. When the CSCE started its activity it had three so-called 'baskets': politico-military, economic-ecological and humanitarian. These are now the three 'dimensions'. There is one steady imbalance: the economic-ecological aspect has traditionally been weaker than the other two. As the OSCE is poorly endowed with resources to support economic development – not to mention that it has a formidable rival: the EU– it will remain a marginal player in this field. During the Cold War the other two baskets/dimensions were balanced. This is no longer the case as a result of the decline of traditional security issues on the European agenda and the importance attributed to human rights and democracy/democratisation. It is underlined by the concept of democratic peace, according to which democracies do not fight wars (against other democracies!). If this assumption is correct then democratisation is the most effective peace policy. The result is that the human dimension has taken centre stage in the OSCE. As most of the participating states causing trouble are in the former Soviet area –increasingly including Russia itself–, this emphasis is not in the interest of most post-Soviet states. The more the western Balkans turns to peace and stability, the more the former Soviet area will become the focus of attention.

The debates of the past few years revolved around the central element of democracy: free and fair elections. The OSCE has developed a high level of professional capacity to monitor elections and assess them and its assessments can significantly contribute to the legitimacy of governments –or deprive them of it–. Russia and its partners are in favour of a system in which the OSCE's election-related activity focuses on normative aspects rather than on monitoring. One certainly would not exclude the other. A particular complaint is that a few hours after closing the ballot boxes the monitoring commissions publish their preliminary assessments and proclaim them *urbi et orbi*. The former Soviet states would understandably prefer to discuss the results of the elections in the OSCE's Permanent Council, days after and often thousands of kilometres away from the capital of the participating state in which the elections took place. Although this is to the liking of neither old or new democracies there is an element of truth in the complaints of Russia and its partners: it is a strange system where the conclusions of the OSCE's election monitors cannot be 'appealed' against. It is important to note, however, that the allegation that the OSCE election observation missions are instruments for regime change rests on a fundamental misunderstanding: 'democratic changes of government are based on the result of elections, not on the observation of electoral processes'.[5]

The debate about election monitoring reached its peak when within a 15-month period there were regime changes following elections in Georgia and the Ukraine in 1993-95. Although this was regarded as a victory for democracy in the West, in the East it was emphasised that the changes were overshadowed by the manipulation of external forces. Two quotes illustrate the contrasting views: whereas the head of the US delegation applauded the Office of Democratic Institutions and Human Rights (ODIHR) and emphasised that it represents 'the gold standard worldwide in election monitoring practices', at the same meeting the Russian Foreign Minister saw 'the need for serious improvement in the work of... the ODIHR'.[6] Although disagreement will continue to prevail regarding election-related activity, it is unlikely to be severe as it has been. The following factors should be taken into account: (1) a few years after the change in Georgia and the Ukraine the efforts to democratise countries has rapidly slowed down; Russia may find it reassuring that the transition of neither Georgia nor the Ukraine has been full and

[5] Gernot Erler, 'Germany and OSCE Reform', *CORE (Centre for OSCE Research) Working Paper*, nr 15, CORE, Hamburg, 2006, p. 5.
[6] Intervention at the Thirteenth OSCE Ministerial Council, as delivered by Under-Secretary for Political Affairs R. Nicholas Burns to the Thirteenth OSCE Ministerial Council, Ljubljana, 5th December 2005, p. 2; and Statement by Mr Sergei Lavrov, Minister of Foreign Affairs of the Russian Federation, at the Thirteenth Meeting of the OSCE Ministerial Council, Ljubljana, 5th December 2005, p. 2, MC/DEL/16/05.

irreversible; transition has not accompanied by rapid westernisation; (2) the West may be more doubtful about externally supported democratic transformation as the current record is not entirely convincing; (3) it is worrying that democratisation processes can flourish in OSCE countries where the power elites do not use brutal oppression, whereas it cannot prevail under genuinely dictatorial regimes.

The OSCE, while rightly reluctant to relinquish its efforts to monitor elections, has expressed its intention to broaden its related agenda. Some of the new items have been contemplated for some time. ODIHR now plans to expand its attention to the evaluation of pre-election media, election campaign financing, electronic voting, voter registration and the coordination of observer missions. In the case of electronic voting, it should not curtail transparency and an additional commitment is to be introduced to that effect. The same goes for the financing of election campaigns. In order to increase public confidence, the provision of comprehensive and timely information and the education of voters should become the responsibility of the authorities.[7]

Complaints about the emphasis placed on the human dimension at the expense of the others will continue. Certainly, there is some room for adjusting OSCE activity and paying more attention to the politico-military and economic-ecological aspects. This has been taking place formally: several documents of the Ministerial Council and other forums address matters relating primarily to the politico-military dimension, ranging from small arms to de-mining through fighting terrorism, police cooperation and preventing the forging and misuse of passports. Occasionally, chairmanship countries identified priorities which were not part of the human dimension. The Belgian OSCE chairmanship of 2006 was particularly innovative when it identified migration as an economic matter and transport as its priority areas. Although migration is certainly a multi-dimensional problem and transport –due to the problems with the economic dimension outlined above– is a no-go, nobody challenged Belgium's choices.

The post-Soviet states have looked into the activity of long-term field missions and seen an 'asymmetry problem' in it as well. In a paper put forward by Belarus, Kazakhstan, Kyrgyzstan and the Russian Federation in 2003, the four countries identified three problems: (1) the intrusiveness of missions; (2) their excessive concentration on the human dimension; and (3) the missions' geographical asymmetry. It is untrue to say that missions over-emphasise tasks in the human dimension, as they are also active in areas such as water management, police training and cross-border cooperation, which can by no means be considered to come exclusively within the scope of the human dimension. Although I would not join those who argue that dimensions are entirely irrelevant, outdated or counter-productive, I would venture to conclude that the activity of missions increasingly provides evidence that the dimensions are blurred and no longer adequately describe the various categories of the OSCE's activities. It is more complicated to draw conclusions as regards the intrusiveness of missions, partly because missions do not have identical mandates, and partly because the dilemma is largely one of perception or might be subject to political manipulation. It has to be recognised, however, that there are some known cases in which OSCE missions have extended their mandates by concentrating on observing and interfering with the host country's internal political situation. Although the four countries have put forward concrete proposals to find institutional solutions for the problems outlined above, their primary purpose was to subject several matters related to missions (the appointment of heads of missions, budgetary matters, etc) to a consensus and thus increase the control over them by –

[7] 'OSCE-ODIHR Explanatory Note on Possible Additional Commitments for Democratic Elections', in *Common Responsibility – Commitments and Implementation. Report submitted to the OSCE Ministerial Council in response to MC Decision No. 17/05 on Strengthening the Effectiveness of the OSCE*. 'Report of the OSCE Office for Democratic Institutions and Human Rights', OSCE-ODIHR, Warsaw, November 2006, p. 83-90.

among others– the host states themselves. If these proposals had been adopted it would have meant that host countries would have improved their bargaining position as far as mission mandates are concerned. It is certain, however, that the countries occupying the chairmanship still have a significant leverage over the missions.

Russia's third major complaint, related to both the OSCE's missions and other activities, is geographical asymmetry. Missions are located in the former Soviet area and the Western Balkans and in the long run will probably focus exclusively on the former. Russia occasionally queried why the OSCE had not addressed the Basque issue, Northern Ireland or separatism in Corsica. Although at first sight the point seems reasonable it does not take into account that the OSCE's activity is supposed to make up for the shortcomings of the participating states' capacities. It is obvious that France, Spain and the UK have adequate capacity to tackle these matters. Thus they do not need help to address them. The OSCE's aim is to contribute to building up capacities. It is a relevant point, however, that some missions occasionally do not represent the helping hand of an organisation of cooperative security, as they should. This requires a change of attitude rather than the arbitrary establishment of missions in parts of the OSCE area where they are unnecessary. For that matter, the establishment of so-called thematic missions – covering certain issues in the entire OSCE area and thus diplomatically shrouding the geographical location of the problems– is not the way forward either.

Nevertheless, the complaints made by countries in the post-Soviet area should be taken seriously, among other reasons because regardless of whether missions cover only that area or the entire OSCE, it is in the best interests of the participating states to avoid alienating the host countries. If a host country does not let the mission continue to operate on its territory the OSCE could continue to lose relevance. This was made clear when Uzbekistan left the continuation of the Tashkent OSCE in a limbo in 2005. It has to be understood that both the countries that intend to use the OSCE to build a security community of the 56 participating states and those that need help to develop their capacities, transform their political regimes or modernise their governmental structures are in an interdependent relationship.

Institutional Matters

When the series of conferences was replaced by permanent institutions in 1990, the CSCE's participating states had one concern in common: they did not want to establish a regional United Nations with a complex bureaucracy. Their main aspiration was to institutionalise 'lightly' and on the cheap. To make a long story short, they established extremely small bodies and as needs emerged they added to the institutional structure. They introduced the position of Chairman-in-Office and with it an annually rotating chairmanship, a Conflict Prevention Centre and the predecessor of the Office of Democratic Institutions and Human Rights. In 1992 they added the position of Secretary General –as the chief administrative officer of the CSCE– and the High Commissioner on National Minorities and, subsequently, the Representative on the Freedom of the Media, a terrorism coordinator and the Representative on Human Trafficking. There is reason to conclude that the institutions established earlier made a greater difference than those established more recently. The process of adding institutions means that a broad range of horizontal organs existed without clear lines of subordination. More precisely, the idea was clear: to establish an inter-governmental organisation without any powerful bureaucratic structure. More than 140 people work in the Vienna-based Secretariat and, primarily in its missions, the OSCE employs more than 3,000 people. Until recently, participating states started out from the steadily less realistic assumption that political power is concentrated in the hands of the collective organs of the participating states (summits of Heads of States and Governments, Ministerial Council, Permanent Council and Forum for Security Cooperation) and in the Chairman-in-Office, the Foreign Minister

of the country occupying the chairmanship. The participating states have thus established an atypical inter-governmental organisation, which has turned out to be less functional.

Due to the dissatisfaction of several participating states, the Chairman-in-Office for 2004 – the Bulgarian Foreign Minister– decided to launch a process that could lead to institutional reform. Although it is obvious that the OSCE's fundamental problem is not of an institutional character, the process has been going on for more than two years. It has brought strictly limited results. It has somewhat broadened the area of competence of the Secretary General of the OSCE, partly to make public statements to support political dialogue and more importantly to 'bring to the attention of the decision-making bodies… any matter relevant to his or her mandate'. It is premature to conclude what the consequences of these additions will be, but it is certain that a very similar rule of the UN Charter made it possible for the Secretary General to acquire a major political role. The second decision of the OSCE's Ministerial Council meeting of December 2004 on institutional reform established a panel of seven eminent persons who submitted their report in the summer of 2005, leading to the implementation of certain adjustments. These were the result of extensive debates that demonstrated that such small issues can now be resolved by OSCE functionaries. As requested by the Ministerial Council in 2005, the same body adopted new rules of procedure in December 2006 and a few other documents complementing them. The organisation's foundations are not markedly changed. Decision-making continues to be based on consensus and none of the OSCE institutions have been abolished, but the way is now open to establish a few informal subsidiary bodies as deemed necessary and to terminate them when no longer needed. Although the Secretary General has acquired a coordinating role vis-à-vis other OSCE institutions, he has not acquired authority over them.[8] All in all, institutional reform has been necessary but the results reflect the stalemate of a stalemated international organisation.

5 The country occupying the chairmanship and the Chairman, its Foreign Minister, have retained their decisive importance for the OSCE. It is not an easy job, bearing in mind that it requires constantly seeking compromises between the main actors, the US, the Russian Federation and the EU. However, a problem is that the EU maintains a relatively low profile in the OSCE and hence does not help to bridge the differences between the two main antagonists. If rather than being lost in inaction the EU could represent a value-based middle-ground position there would probably be more room for political compromise. The US, which under the current Administration is interested in changing the status quo globally, is playing a pro-status quo role in the OSCE. This is primarily due to the fact that it relies on other institutions and bilateral channels and hence would like to keep the OSCE where it is now: on the back-burner. The Russian Federation, which is defending the status quo in the world in order not to lose further influence and position, is anti-status quo in the OSCE. It feels that the OSCE undermines its efforts to consolidate and stabilise its own neighbourhood. Its emphasis on democratisation and election-monitoring may be too close to a liberal values and thus contrary to the interests of Moscow and its allies.

A stronger sense of common purpose would be necessary for the OSCE to regain some of its lost gleam. As long this is not apparent to every participating state it will remain where it now is: in relative decline.

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[8] See *Rules of Procedure of the Organisation for Security and Co-operation in Europe*, MC.DOC/1/06, 1, November 2006.